



ATTORNEY DOCKET NO. 2003028-0008

### DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### NOVEL PURINES

the specification of which (I authorize Choate, Hall & Stewart to check one of the following, three choices, and fill in the blanks, if applicable):

\_\_\_ is attached hereto

X was filed on December 18, 2000 as Application  
Serial No. 09/740,653 and amended on \_\_\_\_\_ (if applicable).

\_\_\_\_\_ was filed as PCT international application No. \_\_\_\_\_,  
on \_\_\_\_\_ and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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(Number)	(Country)	(Day/Month/Year/Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/740,619</u>	<u>December 18, 2000</u>	<u>Pending</u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

<u>09/740,267</u>	<u>December 18, 2000</u>	<u>Pending</u>
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

PCT Applications designating the United States:

<u>                    </u>	<u>                    </u>	<u>                    </u>
(PCT Appl. No.)	(U.S.S.N.)	(status-patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

<u>60/240,788</u>	<u>October 16, 2000</u>	<u>Pending</u>
Application Number	Filing Date	Status

<u>60/172,161</u>	<u>December 17, 1999</u>	<u>Pending</u>
Application Number	Filing Date	Status

<u>60/172,510</u>	<u>December 17, 1999</u>	<u>Pending</u>
Application Number	Filing Date	Status

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of first inventor Metcalf III, Chester A.

Inventor's signature  Date: 4-13-01

Residence One Longfellow Place, #323, Boston, MA 02114

Citizenship USA

Post Office Address Same

Full name of second inventor Weigele, Manfred

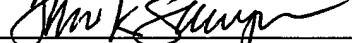
Inventor's signature  Date: 2/26/01

Residence 6 Canal Park, #601, Cambridge, MA 02141

Citizenship DE

Post Office Address Same

Full name of third inventor Sawyer, Tomi K.

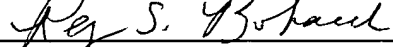
Inventor's signature  Date: 4/11/01

Residence Eight Nathan Stone Road, Southborough, MA 01772

Citizenship USA

Post Office Address Same

Full name of fourth inventor Bohacek, Regine

Inventor's signature  Date: 4/13/01

Residence 50 Commonwealth Avenue, #702, Boston, MA 02116

Citizenship USA

Post Office Address Same

Full name of fifth inventor Shakespeare, William C.

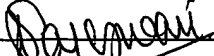
Inventor's signature  Date: 4/10/01

Residence Seven Derby Street, Framingham, MA 01701

Citizenship USA

Post Office Address Same

Full name of sixth inventor Sundaramoorthi, Rajeswari

Inventor's signature  Date: 06/10/01

Residence 151 Coolidge Avenue, #202, Watertown, MA 02472

Citizenship IN

Post Office Address Same

Full name of seventh inventor Wang, Yihan

Inventor's signature  Date: 02/26/01

Residence ~~14 Jonathan Street, Belmont, MA 02478~~ 45 Madison Ave, Newton, MA 02460

Citizenship CN

Post Office Address Same

Full name of eighth inventor Dalgarno, David C.

Inventor's signature  Date: 4/10/01

Residence 50 Crowninshield Road, Brookline, MA 02446

Citizenship GB

Post Office Address Same



ATTORNEY'S DOCKET NUMBER: 2003028-0008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Metcalf, *et al.*  
Serial Number: 09/740,653  
Filed Date: December 18, 2000  
Title: NOVEL PURINES

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

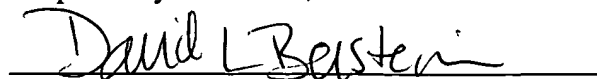
Sir:

**APPOINTMENT OF ATTORNEY**

The undersigned hereby appoints Sam Pasternack, Registration No. 29,576; Brenda Herschbach Jarrell, Registration No. 39,223; Kevin M. Tormey, Registration No. 41,351; Karoline Shair, Registration No. 44,332; Elizabeth Nugent, Registration No. 43,839, Valarie B. Rosen, Registration No. 45,698; Anne Marie Dinius, Registration No. 45,592; Stanley C. Mah, Registration No. 46,189; C. Hunter Baker, Registration No. 46,533; Monica R. Gerber, Registration No. 46,724; Elijah Cocks, Registration No. P-47,499; and Mika Mayer, Registration No. P-47,777; as its attorneys and agents for prosecution of matters relating to the above-identified patent application and to conduct all business in the United States Patent and Trademark Office.

All correspondence should be sent to Karoline K.M. Shair, Ph.D., Choate, Hall & Stewart, Exchange Place, 53 State Street, Boston, Massachusetts 02109.

Respectfully submitted,



Name: David L. Bernstein, Esq.

Title: Sr. Vice President, Chief Patent Counsel

On behalf of Ariad Pharmaceuticals, Inc.

Dated: January 23, 2001



ATTORNEY DOCKET NO. 2003028-0008

## ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Chester A. Metcalf III** of Boston, MA; **Manfred Weigle** of Cambridge, MA, **Tomi K. Sawyer** of Southborough, MA, **Regine Bohacek** of Boston, MA, **William C. Shakespeare** of Framingham, MA, **Rajeswari Sundaramoorthi** of Watertown, MA, **Yihan Wang** of Belmont, MA and **David C. Dalgarno** of Brookline, MA hereby

Sell, assign and transfer to the **Ariad Pharmaceuticals, Inc.**, having a place of business at **26 Landsdowne Street, Cambridge, MA 02139-4234**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent entitled "**Novel Purines**" filed **December 18, 2000**, and given serial number **09/740,653** (I authorize Choate, Hall & Stewart to fill in the blank when a serial number is assigned.) in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 13<sup>th</sup> day of April, 2001.

Cht C Metcalf III  
Chester A. Metcalf III

STATE OF Massachusetts  
COUNTY OF Middlesex SS.

Before me this 13<sup>th</sup> day of April, 2001, personally appeared  
**Chester A. Metcalf III** known to me to be the person whose name of subscribed to the  
foregoing Assignment and acknowledged that he executed the same as his free act and deed for  
the purposes therein contained.

Barbara D Matyskiel  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

BARBARA D. MATYSKIEL  
NOTARY PUBLIC  
My Commission Expires March 15, 2007

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
Massachusetts this 26<sup>th</sup> day of February, 2001.

Manfred Weigele  
Manfred Weigele

STATE OF Massachusetts  
COUNTY OF Middlesex SS.

Before me this 26<sup>th</sup> day of February, 2001, personally appeared  
**Manfred Weigele** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

NOTARY PUBLIC Barbara D Matyskiel

[Notary's Seal Here]

My Commission Expires:

BARBARA D. MATYSKIEL  
NOTARY PUBLIC  
My Commission Expires March 15, 2007


IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 11<sup>th</sup> day of April, 2001.



Tomi K. Sawyer

STATE OF Massachusetts  
COUNTY OF Middlesex SS.

Before me this 11<sup>th</sup> day of April, 2001, personally appeared  
**Tomi K. Sawyer** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

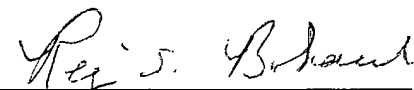
  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

BARBARA D. MATYSKIEL  
NOTARY PUBLIC  
My Commission Expires March 15, 2007

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 13<sup>th</sup> day of April, 2001.

  
Regine Bohacek

STATE OF Massachusetts  
COUNTY OF Middlesex SS.

Before me this 13<sup>th</sup> day of April, 2001, personally appeared  
**Regine Bohacek** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:



IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 10<sup>th</sup> day of April, 2001.

William C. Shakespeare  
William C. Shakespeare

STATE OF Massachusetts  
COUNTY OF Middlesex SS.

Before me this 10<sup>th</sup> day of April, 2001, personally appeared  
**William C. Shakespeare** known to me to be the person whose name of subscribed to the  
foregoing Assignment and acknowledged that he executed the same as his free act and deed for  
the purposes therein contained.

Barbara D. Matyskiel  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

BARBARA D. MATYSKIEL  
NOTARY PUBLIC  
My Commission Expires March 15, 2007

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 10<sup>th</sup> day of April, 2001.

Rajeswari Sundaramoorthi  
Rajeswari Sundaramoorthi

STATE OF Massachusetts  
COUNTY OF Middlesex SS.

Before me this 10<sup>th</sup> day of April, 2001, personally appeared  
**Rajeswari Sundaramoorthi** known to me to be the person whose name of subscribed to the  
foregoing Assignment and acknowledged that he executed the same as his free act and deed for  
the purposes therein contained.

Barbara D. Matyskiel  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
Massachusetts this 27<sup>th</sup> day of February, 2001.

Yih Wang  
Yihan Wang

STATE OF Massachusetts

SS.

COUNTY OF Middlesex

Before me this 27<sup>th</sup> day of February, 2001, personally appeared  
**Yihan Wang** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

NOTARY PUBLIC

Barbara D. Matyskiel

BARBARA D. MATYSKIEL  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:

My Commission Expires March 15, 2007

IN WITNESS WHEREOF, I hereto set my hand and seal at Cambridge,  
MA this 10<sup>th</sup> day of April, 2001.

David C. Dalgarno  
David C. Dalgarno

STATE OF Massachusetts

SS.

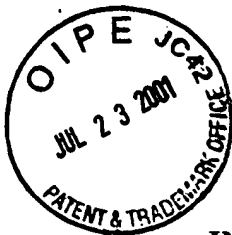
COUNTY OF Middlesex

Before me this 10<sup>th</sup> day of April, 2001, personally appeared  
**David C. Dalgarno** known to me to be the person whose name of subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the  
purposes therein contained.

Barbara D. Matyskiel  
NOTARY PUBLIC

[Notary's Seal Here]

My Commission Expires:



ATTORNEY'S DOCKET NUMBER: 2003028-0008

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Metcalf, *et al.*  
Serial No.: 09/740,653  
Filed: December 18, 2000  
For: NOVEL PURINES

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

**ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**  
**(37 CFR 3.73(b))**

The assignee of the entire right, title and interest of inventors Ariad Pharmaceuticals, Inc., hereby seeks to take action in the Patent and Trademark Office in the above matter.

Ownership by the assignee is established as follows:

\_\_\_\_\_ documents already recorded in the PTO on \_\_\_\_\_.

Reel \_\_\_\_\_ Frame \_\_\_\_\_; and

X documents separately submitted for recordal to the PTO (a copy of these documents is attached).



### STATEMENT

I, a person authorized to sign on behalf of the assignee, have reviewed the evidentiary documents referred to above and certify that, to the best of my knowledge and belief, title is mine/ours as assignees who seek to take further action.

David L Bernstein

Signature of Authorized Person

David L. Bernstein, Esq.

Name of Authorized Person

Sr. Vice President, Chief Patent Counsel

Title of Authorized Person